

Proposed language from U.S. Department of Labor:

SEC.____. (a) IN GENERAL.—Section 6(d)(2) of the Joint Resolution entitled “A Joint Resolution to approve the ‘Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America’, and for other purposes” (48 USC 106), as amended by section 3 of the Northern Marianas Islands U.S. Workforce Act of 2018 (P.L. 115-218), is amended by inserting after subparagraph (C), the following:

“(D) FEES FOR PROCESSING TEMPORARY LABOR CERTIFICATIONS.—

“(i) ESTABLISHMENT OF FEES.—In order to process applications for temporary labor certifications under this paragraph, including activities relating to prevailing wage determinations, the Secretary of Labor shall by regulation establish fees for employers submitting such applications. The amount of such fees shall be established at an amount the Secretary determines is necessary to ensure recovery of the full costs of the Department of Labor in carrying out all processing activities relating to all such applications, including the associated overhead and administrative expenses and program integrity activities.

“(ii) ESTABLISHMENT OF ACCOUNT AND USE OF FUNDS.—There is established in the general fund of the Treasury a separate account, which shall be known as the “CNMI Labor Certification Application Fee Account.” Notwithstanding any other provisions of law, there shall be deposited as offsetting receipts into the account all amounts from the fees collected under this subparagraph. Of the amounts deposited into the CNMI Labor Certification Application Fee Account, the Secretary of Labor shall, directly or through grants, contracts, or other arrangements, use such amounts as the Secretary of Labor determines are necessary for the costs of Federal and State administration in carrying out activities in connection with applications for labor certifications and prevailing wage determinations under this subparagraph. Such costs may include personnel salaries and benefits, equipment and infrastructure for adjudication and customer service processes, and program integrity activities.

“(iii) AVAILABILITY OF FUNDS.—Fees deposited into the CNMI Labor Certification Application Fee Account under clause (i) shall remain available until expended for the activities described in clause (ii). Amounts available under clause (i) shall be available in addition to any other funds appropriated or made available to the Department of Labor under other laws.

(b) REGULATIONS.—Section 3(b)(2) of the Northern Marianas Islands U.S. Workforce Act of 2018 (P.L. 115-218) is amended by adding the following sentence after the first sentence: “Such rule shall also include the fees established by the Secretary under section 6(d)(2)(D) of the Joint Resolution entitled “A Joint Resolution to approve the ‘Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America’, and for other purposes” (48 USC 106), as amended by section____ of [Insert the Name of the appropriations or other Act containing this section].”.